

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:19-cv-00224-MR**

COREY DELON GREENE,)	
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
KENNETH LASSITER, et al.,)	
)	
)	
Defendants.)	
_____)	

THIS MATTER is before the Court on Plaintiff’s “Motion for Defendant to Answer – Amended Complaint.” [Doc. 33].

On February 3, 2020, Plaintiff’s amended complaint, brought pursuant to 42 U.S.C. § 1983, survived this Court’s initial review. [Doc. 18]. On March 6, 2020, the Court allowed Plaintiff to file a second amended complaint. [Docs. 27, 28]. Currently, all Defendants named by Plaintiff have been served. Defendants Brown, Ishee, Moose, Rich, and Cobb must file their answers or otherwise plead to Plaintiff’s second amended complaint by June 2, 2020. [Doc. 29]. Currently, Defendant Lassiter’s answer is due by May 6, 2020. [Doc. 34].

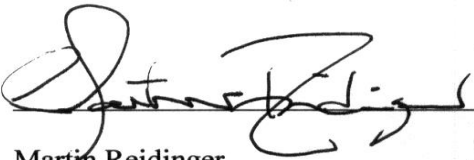
Plaintiff now moves the Court to “direct the defendants to answer his amendments to the complaint.” [Doc. 33]. Plaintiff’s motion will be denied.

Defendants' deadlines to respond have not expired. Furthermore, a motion for an order directing Defendants to answer is not proper procedure in any event. Should Defendants not timely answer or otherwise plead to Plaintiff's second amended complaint, Plaintiff may move for entry of default pursuant to Rule 55 of the Federal Rules of Civil Procedure.

IT IS THEREFORE ORDERED that Plaintiff's "Motion for Defendant to Answer – Amended Complaint" [Doc. 33] is **DENIED**.

IT IS SO ORDERED.

Signed: April 29, 2020


Martin Reidinger
United States District Judge

